IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

CHAMBER SUMMONS NO.1508 OF 2006
IN
SUMMONS FOR JUDGMENT NO.86 OF 2005
IN
SUMMARY SUIT NO.3705 OF 2004

M/s.A.Himanshu & Co. ..Plaintiffs

Versus

M/s.B.V.Jewels & Ors. ..Defendants

Mr.D.D.Madan i/by S.Pathak & Co. for defendants.

Mr.K.H.Halai i/by M/s.Halai & Co. for plaintiffs.

Coram : R.S.Mohite,J

Date : 29.11.2006.

PC

1. This is a Chamber summons seeking extension of time to make payments as contemplated in the order passed by Justice D.K.Deshmukh,J on 11.7.2006. It is seen that the said order was passed by consent of parties. There is a clause in the order that if the defendants commit default in depositing the amount the summons for judgment would stand granted and the suit of the plaintiff would stand decreed. Advocate for the defendants is not agreeable for any variation in the consent order. In the circumstances, I am not inclined to grant any extension. It appears that the claim of the plaintiffs in the suit was for a much larger amount

and that the order passed by consent contemplated payment of a lesser amount. In the circumstances, Chamber summons is rejected.

(R.S.Mohite,J)